

# Agenda

## Item #8



STATE OF MAINE  
COMMISSION ON GOVERNMENTAL ETHICS  
AND ELECTION PRACTICES  
135 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0135

To: Commission Members

From: Jonathan Wayne, Executive Director

Date: November 17, 2008

Re: Proposed Rulemaking regarding Seed Money for Gubernatorial Candidates

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At your July meeting, the Commission decided to accept public comment on a proposed rule change that would allow gubernatorial candidates seeking Maine Clean Election Act (MCEA) funding to raise up to \$100,000 in seed money contributions, rather than the current maximum of \$50,000. After receiving public comment in September, you decided at your October 27 meeting to accept public comment on a proposed increase to \$150,000. The Commission staff has scheduled a public hearing on this proposed change for your November 24 meeting.

The staff continues to believe that raising the maximum to \$150,000 is worth considering because it will enhance the MCEA as an attractive alternative to private fundraising for serious gubernatorial candidates who may be concerned about how they would finance their campaign before they qualify to receive public financing. One factor in our thinking is the private fundraising by the 2002 and 2006 gubernatorial campaigns of John E. Baldacci and Peter E. Cianchette. Unfortunately, the chart of cumulative contributions and expenditures for those campaigns that I provided you for your October 27 2007 meeting was incomplete, due to a miscommunication with a colleague who prepared the chart.

I have attached a corrected chart of cumulative fundraising and spending by those campaigns. The chart re-confirms that all three campaigns had raised well in excess of \$100,000 by April of the election year, when Maine Clean Election Act funding typically becomes available to candidates in a political party:

	Total Receipts through April of the Election Year
John E. Baldacci (2002)	\$626,776
Peter E. Cianchette (2002)	\$362,175
John E. Baldacci (2006)	\$384,327

Thank you for your willingness to accept further public comment on this issue.

94-270

COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES

Chapter 3: MAINE CLEAN ELECTION ACT AND RELATED PROVISIONS

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SECTION 2(3) . Seed Money Restrictions

- A. **General.** After becoming a candidate and before certification, a participating candidate may collect and spend only seed money contributions. The restrictions on seed money contributions apply to both cash and in-kind contributions.
- B. **Total Amount**
  - (1) A participating candidate must limit the candidate's total seed money contributions to the following amounts:
    - (a) One hundred fifty thousand dollars for a gubernatorial candidate;
    - (b) one thousand five hundred dollars for a candidate for the State Senate; or
    - (c) five hundred dollars for a candidate for the State House of Representatives.
  - (2) Notwithstanding any other provision of this chapter, a candidate may carry forward to a new candidacy of that candidate campaign equipment or property, subject to the reporting requirements of Title 21-A, chapter 13 [Campaign Reports and Finances].
  - (3) The Commission periodically will review these limitations and, through rulemaking, revise these amounts to ensure effective implementation of the Act.

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Month	Monthly Receipts	Cumulative Total Receipts	Monthly Expenditures	Cumulative Total Expenditures
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### John E. Baldacci's 2002 Campaign

December 2000	\$3,325.00	\$3,325.00	\$0.00	\$0.00
January 2001	\$0.00	\$3,325.00	\$0.00	\$0.00
February 2001	\$0.00	\$3,325.00	\$0.00	\$0.00
March 2001	\$0.00	\$3,325.00	\$0.00	\$0.00
April 2001	\$11,650.00	\$14,975.00	\$62.85	\$62.85
May 2001	\$23,950.00	\$38,925.00	\$6,830.60	\$6,893.45
June 2001	\$121,500.00	\$160,425.00	\$12,359.26	\$19,252.71
July 2001	\$31,783.97	\$192,208.97	\$13,747.07	\$32,999.78
August 2001	\$17,150.00	\$209,358.97	\$16,370.08	\$49,369.86
September 2001	\$15,345.00	\$224,703.97	\$24,509.19	\$73,879.05
October 2001	\$87,735.00	\$312,438.97	\$26,476.61	\$100,355.66
November 2001	\$62,615.00	\$375,053.97	\$25,020.84	\$125,376.50
December 2001	\$114,630.00	\$489,683.97	\$10,530.74	\$135,907.24
January 2002	\$22,792.42	\$512,476.39	\$72,072.01	\$207,979.25
February 2002	\$20,950.00	\$533,426.39	\$22,889.91	\$230,869.16
March 2002	\$56,410.00	\$589,836.39	\$26,597.12	\$257,466.28
April 2002	\$36,939.19	\$626,775.58	\$42,564.80	\$300,031.08
May 2002	\$84,507.96	\$711,283.54	\$370,879.42	\$670,910.50
June 2002	\$141,285.00	\$852,568.54	\$106,365.01	\$777,275.51
July 2002	\$73,184.00	\$925,752.54	\$45,057.63	\$822,333.14
August 2002	\$107,414.21	\$1,033,166.75	\$73,790.00	\$896,123.14
September 2002	\$121,066.00	\$1,154,232.75	\$210,564.63	\$1,106,687.77
October 2002	\$319,153.00	\$1,473,385.75	\$326,346.90	\$1,433,034.67
November 2002	\$87,274.99	\$1,560,660.74	\$125,091.48	\$1,558,126.15
December 2002	\$27,425.00	\$1,588,085.74	\$31,962.96	\$1,590,089.11
January 2003	\$9,309.42	\$1,597,395.16	\$5,592.83	\$1,595,681.94
February 2003	\$0.00	\$1,597,395.16	\$1,481.98	\$1,597,163.92
March 2003	\$0.00	\$1,597,395.16	-\$5,674.94	\$1,591,488.98
April 2003	\$0.00	\$1,597,395.16	\$35.00	\$1,591,523.98
May 2003	\$0.00	\$1,597,395.16	-\$2,966.12	\$1,588,557.86
June 2003	\$0.00	\$1,597,395.16	\$11,474.48	\$1,600,032.34

Month	Monthly Receipts	Cumulative Total Receipts	Monthly Expenditures	Cumulative Total Expenditures
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### Peter E. Cianchette's 2002 Campaign

December 2000	\$225.00	\$225.00	\$0.00	\$0.00
January 2001	\$0.00	\$225.00	\$0.00	\$0.00
February 2001	\$0.00	\$225.00	\$0.00	\$0.00
March 2001	\$0.00	\$225.00	\$0.00	\$0.00
April 2001	\$0.00	\$225.00	\$0.00	\$0.00
May 2001	\$1,500.00	\$1,725.00	\$40.00	\$40.00
June 2001	\$50,625.00	\$52,350.00	\$1,788.28	\$1,828.28
July 2001	\$10,075.00	\$62,425.00	\$18,352.80	\$20,181.08
August 2001	\$4,250.00	\$66,675.00	\$19,460.69	\$39,641.77
September 2001	\$19,025.00	\$85,700.00	\$14,768.06	\$54,409.83
October 2001	\$28,300.00	\$114,000.00	\$18,907.61	\$73,317.44
November 2001	\$38,980.00	\$152,980.00	\$16,638.35	\$89,955.79
December 2001	\$89,600.00	\$242,580.00	\$16,778.29	\$106,734.08
January 2002	\$11,850.00	\$254,430.00	\$19,581.53	\$126,315.61
February 2002	\$23,945.00	\$278,375.00	\$22,771.58	\$149,087.19
March 2002	\$33,025.00	\$311,400.00	\$97,356.36	\$246,443.55
April 2002	\$50,775.00	\$362,175.00	\$63,704.05	\$310,147.60
May 2002	\$89,985.00	\$452,160.00	\$124,689.11	\$434,836.71
June 2002	\$112,285.00	\$564,445.00	\$98,259.43	\$533,096.14
July 2002	\$121,424.24	\$685,869.24	\$34,875.28	\$567,971.42
August 2002	\$104,650.00	\$790,519.24	\$118,807.20	\$686,778.62
September 2002	\$174,538.00	\$965,057.24	\$238,491.06	\$925,269.68
October 2002	\$289,418.50	\$1,254,475.74	\$279,736.62	\$1,205,006.30
November 2002	\$26,340.00	\$1,280,815.74	\$25,193.37	\$1,230,199.67
December 2002	\$635.00	\$1,281,450.74	\$26,807.33	\$1,257,007.00
January 2003	\$0.00	\$1,281,450.74	\$4,701.93	\$1,261,708.93
February 2003	\$3,625.00	\$1,285,075.74	\$514.95	\$1,262,223.88
March 2003	\$3,275.00	\$1,288,350.74	\$4,692.73	\$1,266,916.61
April 2003	\$450.00	\$1,288,800.74	\$2,885.21	\$1,269,801.82
May 2003	\$350.00	\$1,289,150.74	\$3,107.45	\$1,272,909.27
June 2003	\$0.00	\$1,289,150.74	\$60.70	\$1,272,969.97
July 2003	\$6,815.00	\$1,295,965.74	\$275.75	\$1,273,245.72
August 2003	\$1,300.00	\$1,297,265.74	\$150.75	\$1,273,396.47
September 2003	\$250.00	\$1,297,515.74	\$40.00	\$1,273,436.47
October 2003	\$0.00	\$1,297,515.74	\$68.35	\$1,273,504.82
November 2003	\$0.00	\$1,297,515.74	\$85.00	\$1,273,589.82
December 2003	\$0.00	\$1,297,515.74	\$0.00	\$1,273,589.82
January 2004	\$0.00	\$1,297,515.74	\$0.00	\$1,273,589.82
February 2004	\$0.00	\$1,297,515.74	\$0.00	\$1,273,589.82
March 2004	\$0.00	\$1,297,515.74	\$7,268.20	\$1,280,858.02
April 2004	\$0.00	\$1,297,515.74	\$0.00	\$1,280,858.02
May 2004	\$0.00	\$1,297,515.74	\$0.00	\$1,280,858.02
June 2004	\$0.00	\$1,297,515.74	\$16,657.72	\$1,297,515.74

Month	Monthly Receipts	Cumulative Total Receipts	Monthly Expenditures	Cumulative Total Expenditures
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### John E. Baldacci's 2006 Campaign

October 2005	\$29,850.00	\$29,850.00	\$8,071.18	\$8,071.18
November 2005	\$60,251.00	\$90,101.00	\$25,113.28	\$33,184.46
December 2005	\$109,465.00	\$199,566.00	\$23,768.76	\$56,953.22
January 2006	\$20,935.00	\$220,501.00	\$38,364.81	\$95,318.03
February 2006	\$1,000.00	\$221,501.00	\$27,930.00	\$123,248.03
March 2006	\$24,400.00	\$245,901.00	\$49,202.18	\$172,450.21
April 2006	\$138,426.00	\$384,327.00	\$89,463.11	\$261,913.32
May 2006	\$168,213.87	\$552,540.87	\$262,490.42	\$524,403.74
June 2006	\$117,711.00	\$670,251.87	\$156,304.54	\$680,708.28
July 2006	\$101,787.62	\$772,039.49	\$66,632.00	\$747,340.28
August 2006	\$145,710.08	\$917,749.57	\$95,938.54	\$843,278.82
September 2006	\$135,005.00	\$1,052,754.57	\$183,183.73	\$1,026,462.55
October 2006	\$226,119.12	\$1,278,873.69	\$218,700.17	\$1,245,162.72
November 2006	\$26,630.00	\$1,305,503.69	\$57,489.80	\$1,302,652.52
December 2006	\$4,769.00	\$1,310,272.69	\$4,613.95	\$1,307,266.47
January 2007	\$0.00	\$1,310,272.69	\$2,951.14	\$1,310,217.61
February 2007	\$315.00	\$1,310,587.69	\$4.54	\$1,310,222.15
March 2007	\$0.00	\$1,310,587.69	\$10.51	\$1,310,232.66
April 2007	\$0.00	\$1,310,587.69	\$9.94	\$1,310,242.60
May 2007	\$0.00	\$1,310,587.69	\$10.18	\$1,310,252.78
June 2007	\$200.00	\$1,310,787.69	\$204.84	\$1,310,457.62
July 2007	\$0.00	\$1,310,787.69	\$10.16	\$1,310,467.78
August 2007	\$0.00	\$1,310,787.69	\$9.87	\$1,310,477.65
September 2007	\$600.00	\$1,311,387.69	\$9.89	\$1,310,487.54
October 2007	\$300.00	\$1,311,687.69	\$1,160.45	\$1,311,647.99
November 2007	\$0.00	\$1,311,687.69	\$9.57	\$1,311,657.56
December 2007	\$100.00	\$1,311,787.69	\$9.97	\$1,311,667.53
January 2008	\$0.00	\$1,311,787.69	\$10.22	\$1,311,677.75
February 2008	\$100.00	\$1,311,887.69	\$9.88	\$1,311,687.63
March 2008	\$100.00	\$1,311,987.69	\$260.02	\$1,311,947.65
April 2008	\$0.00	\$1,311,987.69	\$10.16	\$1,311,957.81
May 2008	\$0.00	\$1,311,987.69	\$9.97	\$1,311,967.78
June 2008	\$0.00	\$1,311,987.69	\$9.99	\$1,311,977.77